

AO 91 (Rev. 5/85) Criminal Complaint

United States District Court
Southern District of Texas
FILED

United States District Court

APR 24 2018

SOUTHERN

DISTRICT OF

TEXAS

David J. Dradley, Clerk

UNITED STATES OF AMERICA

V.

Maximiano Garcia, YOB: 1971,
USC

CRIMINAL COMPLAINT

CASE NUMBER: M-18-0873-M

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about April 24, 2018 In Starr county, in the Southern District of Texas defendant(s) did,

Knowingly and Intentionally conspire to possess with the Intent to Distribute more than 43.311 kilograms of Cocaine, a Schedule II Controlled Substance.

in violation of Title 21 United States Code, Section(s) 846, 841 (a)(1)

I further state that I am a(n) DEA Special Agent and that this complaint is based on the following facts: See Attachment "A".

Continued on the attached sheet and made a part of hereof: ☒ Yes ☐ No

Kevin Beverley
Signature of Complainant
Kevin Beverley, DEA Special Agent

Sworn to before me and subscribed in my presence,

April 24, 2018 4:05 pm At McAllen, Texas
Date City and State

Peter E. Ormsby, U.S. Magistrate Judge
Name & Title of Judicial Officer

Peter E. Ormsby
Signature of Judicial Officer

ATTACHMENT "A"

In the early morning hours on April 24, 2018, Border Patrol Agents (BPA) from the Rio Grande City (RGC) Border Patrol Station were conducting line watch operations near Garciasville, Texas when an Aerostat Border Patrol Operator observed possible narcotics activities in the area.

Agents responded to the last known area where Aerostat had seen possible subjects carrying bundles into a ditch. Agents located a subject, later identified as Maximiano Garcia hiding in thick brush with his feet in the water of the ditch. GARCIA stated he was exercising. BPAs advised GARCIA of his Miranda rights and Garcia spontaneously uttered he was willing to talk. Approximately 500 yards north of Garcia's location, BPA's located and seized thirty seven (37) bundles of suspected cocaine under a red horse trailer. BPAs field tested the controlled substances which field tested positive for the properties of cocaine. The cocaine weighed approximately 43.311 kilograms. Garcia and thirty seven (37) bundles of cocaine were transported to the RGC Border Patrol Station.

On this same date, DEA Special Agent (SA) Kevin Beverley and Task Force Officer (TFO) Adam Chavera from the McAllen District Office responded to the RGC, and were apprised of the facts of the case. At approximately 5:46 A.M., GARCIA was read his Miranda warnings by TFO Chavera and SA Beverley and GARCIA agreed to answer some questions. GARCIA stated he received a phone call on the morning of April 23, 2018 from an old friend who lived in Tamaulipas, Mexico. GARCIA would not advise who the friend was during the interview. GARCIA stated he was offered \$5,000.00 United States Currency to assist three (3) backpackers cross the Rio Grande River on to his property, stash the backpacks containing cocaine at his residence, and contact an unknown subject in Donna, Texas who would then pick up the cocaine from GARCIA's residence. The interview was concluded when GARCIA could provide no further information.